GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA

STARRED QUESTION NO:629
ANSWERED ON:10.05.2005
EVICTION OF TRIBALS
Acharia Shri Basudeb;Bhagora Shri Mahavir

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Government is aware of the eviction of a large number of tribals from their own traditional habitats;

(b) if so, the details thereof;

(c) whether the Government proposes to make certain changes in the tribal policy/law with a view to preventing eviction of tribal people;

(d) if so, the details thereof;

(e) whether the Ministry of Environment and Forests has been consulted in this regard; and

(f) if so, the response thereto?

Answer

MINISTER OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH)

(a) to (f): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) and (b) of the Lok Sabha Starred Question No.629 for 10.5.2005 asked by Shri Mahavir Bhagora and Shri Basudeb Acharia regarding `Eviction of Tribals`

(a) & (b): As a result of inadequate recognition of the rights of forest dwelling Scheduled Tribes over land where they had been living for generations, the threat of eviction persists. However, in order to safeguard the interests of the tribals and forest dwellers whose disputed claims are yet to be settled, the Ministry of Environment & Forests has, without prejudice to Supreme Court`s Order, and as an interim measure, advised the State Governments on 21.12.2004 that they should not resort to the eviction of tribal people and forest dwellers other than ineligible encroachers, till the complete survey is done for the recognition of such people and their rights as per the guidelines for the settlement of such claims. The State/UT Governments have been advised to exclude such tribalsjforest dwellers, other than ineligible encroachers, from the eviction drives. Simultaneously, it has also been clarified that this interim measure does not stop the StatejUT Governments from evicting the ineligible encroachers from forest lands.

(c) to (f): Yes, Sir. The Ministry of Tribal Affairs has been mandated to formulate a comprehensive Central Legislation to redress the historical injustice done to forest dwelling Scheduled Tribes by providing for clear assertion of their legal rights on land and other traditional forest rights. This Ministry has prepared a draft `The Scheduled Tribes (Recognition of Forest Rights) Bill, 2005`, to provide a legislative frame for recognition of the aforementioned rights, in consultation with the concerned Ministries, including the Ministry of Environment & Forests.

The proposed Bill is still a tentative draft Bill and has to be processed as per the established procedure taking views and comments of the stakeholder Ministries, including Ministry of Environment & Forests.